

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Justin Huang	Team: Squad #4	CCRB Case #: 202003996	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 11/30/2019 2:03 AM	Location of Incident: Near 603 Thomas S. Boyland Street	Precinct: 73	18 Mo. SOL 5/30/2021	EO SOL 1/14/2022	
Date/Time CV Reported Sat, 06/06/2020 8:22 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 06/06/2020 8:22 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. Officers			

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers stopped § 87(2)(b)	
B. An officer	Force: An officer used physical force against § 87(2)(b)	
C. An officer	Abuse: An officer searched § 87(2)(b)	
D. An officer	Abuse: An officer interfered with § 87(2)(b)'s use of a recording device.	

## Case Summary

On June 6<sup>th</sup>, 2020, § 87(2)(b) filed this complaint on the CCRB website.

On November 30<sup>th</sup>, 2019, at approximately 2:03AM, § 87(2)(b) was walking home from work and was passing by 603 Thomas S. Boyland Street in Brooklyn. Two unidentified officers, PO1 and PO2, approached and stopped § 87(2)(b) (**Allegation A: Abuse of Authority**, § 87(2)(g)). One of the officers pushed § 87(2)(b) against a fence (**Allegation B: Force**, § 87(2)(g)) and frisked him (**Allegation C: Abuse of Authority, Officer Unidentified**, § 87(2)(g)). § 87(2)(b) took out his cell phone and tried to record the officers, but one of the officers shined a flashlight at § 87(2)(b) and interfered with § 87(2)(b)'s recording (**Allegation D: Abuse of Authority**, § 87(2)(g)).

There were no arrests made or summons issued.

The CCRB received negative results for BWC footage (**BR 12**).

The CCRB received video footage that § 87(2)(b) recorded on his cell phone (**BR 01**).

## Findings and Recommendations

**Allegation (A) Abuse of Authority: Officers stopped § 87(2)(b)**

**Allegation (B) Force: An officer used physical force against § 87(2)(b)**

**Allegation (C) Abuse of Authority: An officer searched § 87(2)(b)**

**Allegation (D) Abuse of Authority: An officer interfered with § 87(2)(b)'s use of a recording device.**

§ 87(2)(b) (**BR 02**) walked near 603 Thomas S. Boyland Street when he noticed an unmarked black Impala following him. § 87(2)(b) did not get a good look at the license plate of the unmarked car and was not sure of the license plate number. One of the officers, PO1, yelled, "Do not run," ran up to § 87(2)(b) grabbed him, and threw him against a fence. PO1 then searched the two pockets on § 87(2)(b)'s flight jacket. § 87(2)(b) asked PO1 and PO2, "Why'd you touch me? Why'd you stop me?" PO1 and PO2 did not respond. § 87(2)(b) used his cell phone to record the officers. PO1 shined his flashlight directly at § 87(2)(b)'s face and interfered with § 87(2)(b)'s cell phone recording. § 87(2)(b) described PO1 as a white male in uniform, with a beard and mustache, approximately 25-30 years old, and muscular build. § 87(2)(b) described PO2 as an Asian male in plainclothes with a gold-color police shield on his clothing, approximately 30-35 years old, with an average build.

§ 87(2)(b) provided video footage he took of PO1 to the CCRB. The video shows PO1 standing in front of § 87(2)(b) while shining a flashlight at his person (**BR 01**).

§ 87(2)(b) believed that PO1 was Police Officer Vincent D'Andraia. Based on PO D'Andraia's photo, PO D'Andraia's appearance does not match with that of PO1 (**BR 03**).

A search of Asian male officers from the 73<sup>rd</sup> Precinct resulted in five officers that possibly matched § 87(2)(b)'s description. Analysis of the 73<sup>rd</sup> Precinct roll call showed that one officer, Sergeant Samuel Hui, was on duty at the time of the incident (**BR 04**). Police Officer Richard Catapano had the same assignment as Sgt. Hui.

Sgt. Hui was interviewed, and he did not recall the incident, he did not remember being at the



